

**Minutes**  
Town of Oshkosh  
Corrected

**Town Board Meeting – April 14, 2008 - 7:00 p.m. – Town Hall**

PRESENT: Chairman Gerald Frey, Supervisor Carol Kaufmann, Supervisor Jim Erdman, Treasurer Maribeth Gabert, and audience of 3.

Chairman Frey called meeting to order at 7:03 p.m.

**MOTION BY ERDMAN, KAUFMANN SECONDED, APPROVE AND DISPENSE WITH READING OF MINUTES DATED MARCH 24, WITH CORRECTION. MINUTES TO APPROVE SHOULD STATE MARCH 10<sup>TH</sup>; NOT MARCH 11<sup>TH</sup>. ALL ELSE REMAINS THE SAME AS PRESENTED. ROLL CALL. KAUFMANN, YES; ERDMAN, YES; FREY, YES. MOTION CARRIED.**

**Public Participation:**

None.

**Planning and Zoning:**

**Building Inspector report.**

Dave Frank, Town Building Inspector, reported

- He is waiting for compliance letter for Westward Ho that has not been received yet.
- He questioned the situation regarding the motorcycle business on Hwy 76. Realtor Ross Fuller was looking for a compliance form for building from state and he told him to contact the state.
- Tom Konrad, Portside Buildings, was looking for a culvert permit for 5120 I-Ah-Maytah.

**Unfinished Business:**

**Update on Bristol Square Development.**

The Terms of Agreement drafted by attorney John St. Peter was sent to Darryn Burch, City Planner. Frey read all the bullet points to audience.

Thus far, Darryn Burch's reply contested part of bullet #2 and it may have to be revised by attorney John St. Peter and then back to Burch.

Tom White, 530 Norton Ave., spoke saying that he feels the majority of Norton Ave. residents are now in favor of discontinuing Norton Ave. The issue is that the developer should not have the option to buy either Western or Nielsen properties unless at least 90% of Jackson Heights is annexed and to approach John St. Peter with this term added into the agreement.

**MOTION MADE BY KAUFMANN, ERDMAN SECONDED, TO HAVE TOWN ATTORNEY RE-WRITE BULLET POINT #2 TO READ 90% MUST BE ANNEXED IN JACKSON HEIGHTS INSTEAD OF ALL. ROLL CALL. FREY, YES; KAUFMANN, YES; ERDMAN, YES. MOTION CARRIED.**

**New Business:**

**Acceptance of Franchise Fees from cable communication companies.**

**MOTION MADE BY KAUFMANN, ERDMAN SECONDED, TO APPROVE THE CONTINUATION OF RECEIVING A 3% FRANCHISE FEE AS PART OF THE WISCONSIN STATEWIDE CABLE FRANCHISE AGREEMENT. ROLL CALL. ERDMAN, YES; KAUFMANN, YES; FREY, YES. MOTION CARRIED.**

**Forthcoming Events of public interest:**

Erdman and Frey will attend the April 19<sup>th</sup> workshop for Urban Towns.

Erdman went to the County Unit meeting in Nepeuskum on April 3<sup>rd</sup>. Winnebago Co. Unit unanimously passed a resolution to enforce the Winnebago Co. Comprehensive Plan M.O.U.

Erdman attended an UW-Ext. meeting regarding NR115. DNR is drafting new NR115 ordinances without NAT. RES. Board hearing or legislative approval.

Original draft from the 60's is very strong. Depending on the legislators and governor in office, it could pass in 2-4 years.

Erdman also attended a recent case law session. Passing moratorium while municipalities work on their comprehensive plans is possible (up to two years). Speakers spoke about a case law of a county disregarding a town zoning only to be denied in favor of the town.

Further, at a recent East Central meeting it was said that they intend to approve their comprehensive plan soon. New maps are available.

Kaufmann reported that the town will receive \$15,658 this year in recycling grant funding, which is an increase from prior year.

**Correspondence:**

1. Time Warner Cable; moving channel line-up.
2. Hasler; Postage meter update on latest rates.

3. Town of Winneconne; Amendment to Comp. Plan.
4. Charter Communications; Franchise Fee & Info.
5. WI Towns Assoc; Apr 19<sup>th</sup> workshop information.
6. AT&T WI's Video Franchise; PEG Service Survey.
7. Winnebago Co; Order to Abate Violation; Peerenboom.

Email Correspondence:

1. Doyle signs bills honoring WI Service members & Veterans.
2. Doyle signs 14 bills into law; 03/28/08.
3. WTA Urban Towns Mtg; Revised agenda.
4. Bob Braun; NR115 update.
5. Gus Glaser/Stormwater; quarterly reports forwarded to Chuck Nahn; 04/03/08.
6. Doyle signs 20 bills into law; 04/07/08.

**MOTION TO PAY BILLS AS PRESENTED BY KAUFMANN, ERDMAN  
SECONDED. MOTION CARRIED.**

**MOTION MADE BY KAUFMANN, SECONDED BY ERDMAN, TO  
ADJOURN. MOTION CARRIED.**

Meeting adjourned at 8:05 p.m.

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Minutes taken by Maribeth Gabert, Treasurer  
Prepared by  
Jeannette Merten, Town Clerk  
Town of Oshkosh